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09/609,690	07/05/2000	Handong Wu	NAIIP069	4070
28875	7590	08/20/2010		
Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			EXAMINER	
			GOLD, AVIM	
			ART UNIT	PAPER NUMBER
			2457	
			NOTIFICATION DATE	DELIVERY MODE
			08/20/2010	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

09/609,690

**Applicant(s)**

WU ET AL.

**Examiner**

AVI GOLD

**Art Unit**

2457

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 July 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 30-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Final Drawing Review (PTO-640)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is responsive to the RCE amendment filed on July 7, 2010. Claims 1 and 30 were amended. Claims 31 and 32 were added. Claims 1-32 are pending.

#### ***Response to Amendment***

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16 and 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin, U.S. Patent No. 6,393,026, in view of Kadambi, U.S. Patent No. 6,850,521.

Regarding claim 1, Irwin teaches an apparatus for processing data packets, comprising:

a first data processing unit adapted to filter incoming packets (col. 5, lines 46-52, col. 6, lines 5-8, Irwin discloses a data packet processing system that forwards packets and assigns a program counter);

an addressable memory unit in which a plurality of instruction sets for packet processing are stored (col. 6, lines 5-8, Irwin discloses a data packet processing system);

a second data processing unit adapted to process incoming packets according to one of said plurality of instruction sets after the filtering, based on a thread assigned to the incoming packets by the first data processing unit (col. 6, lines 5-16, Irwin discloses a thread assigned to the packets that allows the forwarding program to process the packets); and

a data bus connecting the addressable memory unit and the first and second data processing units. (col. 8, lines 49-52, Irwin discloses a processor bus).

Irwin fails to teach the limitation further including wherein the first data processing unit is adapted such that the filtering of the incoming packets includes determining whether to accept or discard each of the incoming packets.

However, Kadambi discloses filtering of packets including packet discard and packet acceptance (col. 30, lines 59-66).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Irwin in view of Kadambi to have the first data processing unit adapted such that the filtering of the incoming packets includes determining whether to accept or discard each of the incoming packets. One would be motivated to do so because it allows for advanced filtering of packets.

As to claim 2, Irwin teaches the apparatus of claim 1, further comprising a table (col. 1, lines 32-57).

Irwin fails to teach the limitation further including a policy condition table connected to said first data processing unit, said policy condition table having a plurality of rules stored therein.

However, Kadambi discloses a rules engine attached to the FFP (col. 31, lines 20-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Irwin in view of Kadambi to use a policy condition table connected to said first data processing unit, said policy condition table having a plurality of rules stored therein. One would be motivated to do so because it allows for rules to be applied to the filtering of packets.

As to claim 3, Irwin teaches the apparatus of claim 1, further comprising a table (col. 1, lines 32-57).

Irwin fails to teach the limitation further including a policy action table connected to said data bus and said addressable memory unit, wherein said policy action table stores at least one data processing policy.

However, Kadambi discloses a filtering logic (col. 35, lines 57-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Irwin in view of Kadambi to use a policy action table connected to said data bus and said addressable memory unit, wherein said policy action table stores at least one data processing policy. One would be motivated to do so because it allows for rules to be applied to the filtering of packets.

Regarding claim 4, Irwin and Kadambi teach the apparatus of claim 3, wherein at least one of said policies comprises:

a first address pointer element for identifying the location in said addressable memory unit of one of said plurality of instruction sets (col. 35, lines 57-64, Kadambi discloses logic 1411 in the FFP 141 which points to instruction sets to take action), and

a second address pointer element for identifying the location in said addressable memory unit of a state block (col. 31, lines 20-34, Kadambi discloses the FFP which is essentially a state machine).

Regarding claim 5, Irwin and Kadambi teach the apparatus of claim 3, wherein said first data processing unit assigns a thread to each said incoming packet, wherein said thread corresponds to one of said policies stored in said policy action table (col. 35, lines 24-65, Kadambi).

Regarding claim 6, Irwin and Kadambi teach the apparatus of claim 3, wherein said first data processing unit comprises logic for matching a first incoming packet to a stored first rule and for generating a first thread if the first incoming packet matches said first rule, said first thread identifying the location of one of said at least one data processing policies in said policy action table (col. 35, lines 24-65, Kadambi).

Regarding claim 7, Irwin and Kadambi teach the apparatus of claim 6, wherein said second data processing unit is adapted to process the first incoming packet according to said data processing policy corresponding to said first thread (col. 31, lines 20-34, col. 35, lines 24-65, Kadambi discloses the use of FIFO in the FFP).

Regarding claim 8, Irwin and Kadambi teach the apparatus of claim 6, wherein said data processing policy comprises a first address pointer to a starting address of a first set of instructions and a second address pointer to a starting address of a state block stored in said addressable memory unit, said state block used by said first set of instructions for processing the first incoming packet (col. 31, lines 20-34, col. 35, lines 57-64, Kadambi).

Regarding claim 9, Irwin and Kadambi teach the apparatus of claim 6, wherein said thread is assigned to said first incoming packet based on said first rule (col. 30, lines 54-61, col. 35, lines 24-65, Kadambi).

Regarding claim 10, Irwin and Kadambi teach the apparatus of claim 6, wherein said first processing unit further comprises logic for matching a second incoming packet to a stored second rule and for generating a second thread if the second incoming packet matches the second rule, said second thread identifying the location of one of said at least one data processing policy in said policy action table (col. 35, lines 24-65, Kadambi discloses different rules used in the filtering logic).

Regarding claim 11, Irwin and Kadambi teach the apparatus of claim 10, wherein said second data processing unit is adapted to process the second incoming packet according to said data processing policy corresponding to said second thread (col. 35, lines 24-65, Kadambi).

Regarding claim 12, Irwin and Kadambi teach the apparatus of claim 10, wherein said second thread is assigned to said second incoming packet based on said second rule (col. 35, lines 24-65, Kadambi).

Regarding claim 13, Irwin and Kadambi teach the apparatus of claim 3, wherein said first processing unit further comprises logic for matching a plurality of incoming packets to a stored corresponding plurality of rules and for generating a thread for each packet that matches one of said plurality of rules, each said thread identifying the location of one of said at least one data processing policy in said policy action table (col. 35, lines 24-65, Kadambi).

Regarding claim 14, Irwin and Kadambi teach the apparatus of claim 13, wherein the second data processing unit is adapted to process each packet according to said data processing policy corresponding to said thread associated with said packet (col. 35, lines 24-65, Kadambi).



Regarding claim 15, Irwin and Kadambi teach the apparatus of claim 13, further comprising a memory unit connected to said first data processing unit and to said second data processing unit, said memory unit adapted to temporarily store packets before processing by said second data processing unit (col. 31, lines 35-45, col. 35, lines 24-65, Kadambi discloses packets stored within FFP).

Regarding claim 16, Irwin and Kadambi teach the apparatus of claim 1, wherein said second data processing unit comprising a plurality of general purpose processors for executing instructions in parallel (col. 5, lines 46-54, Kadambi discloses a plurality of modular systems on chip for parallel processing)

Regarding claim 30, Irwin and Kadambi teach an apparatus for processing data packets, comprising:

- a first data processing unit adapted to filter incoming packets (col. 5, lines 46-52, col. 6, lines 5-8, Irwin);

- an addressable memory unit in which a plurality of instruction sets for packet processing are stored (col. 6, lines 5-8, Irwin);

- a second data processing unit adapted to process incoming packets according to one of said plurality of instruction sets after the filtering, based on a thread assigned to the incoming packets by the first data processing unit (col. 6, lines 5-16, Irwin);

- a data bus connecting the addressable memory unit and the first and second data processing units (col. 8, lines 49-52, Irwin);

wherein a policy condition table connected to said first data processing unit, said policy condition table having a plurality of rules stored therein (col. 31, lines 20-34, Kadambi);

wherein a policy action table connected to said data bus and said addressable memory unit, wherein said policy action table stores at least one data processing policy (col. 35, lines 57-64, Kadambi);

wherein said first data processing unit comprises logic for matching a first incoming packet to a stored first rule and for generating a first thread if the first incoming packet matches said first rule, said first thread identifying the location of one of said at least one data processing policies in said policy action table (col. 35, lines 24-65, Kadambi);

wherein said second data processing unit is adapted to process the first incoming packet according to said data processing policy corresponding to said first thread (col. 30, lines 54-61, col. 35, lines 24-65, Kadambi);

wherein said data processing policy comprises a first address pointer to a starting address of a first set of instructions and a second address pointer to a starting address of a state block stored in said addressable memory unit, said state block used by said first set of instructions for processing the first incoming packet (col. 31, lines 20-34, col. 35, lines 57-64, Kadambi);

wherein said first processing unit further comprises logic for matching a second incoming packet to a stored second rule and for generating a second thread if the

second incoming packet matches the second rule, said second thread identifying the location of one of said at least one data processing policy in said policy action table;

wherein said second data processing unit is adapted to process the second incoming packet according to said data processing policy corresponding to said second thread (col. 35, lines 24-65, Kadambi);

wherein a memory unit connected to said first data processing unit and to said second data processing unit, said memory unit adapted to temporarily store packets before processing by said second data processing unit (col. 5, lines 46-54, Kadambi);

wherein said second data processing unit comprising a plurality of general purpose processors for executing instructions in parallel (col. 5, lines 46-54, Kadambi);

wherein the apparatus includes a control logic unit coupled to an input and the policy condition table for feeding an arithmetic logic unit, which is in turn coupled to the policy action table and the state block for generating an output (col. 31, lines 35-45, col. 35, lines 24-65, Kadambi);

wherein the first data processing unit is adapted such that the filtering of the incoming packets includes determining whether to accept or discard each of the incoming packets (col. 30, lines 59-66).

Regarding claim 31, Irwin and Kadambi teach the apparatus of claim 1, wherein determining whether to accept or discard each of the incoming packets includes reading header information and contents for each incoming packet, and searching for a

matching rule in a policy condition table for each incoming packet (Kadambi, col. 30, lines 59-66, col. 31, lines 20-50).

Regarding claim 32, Irwin and Kadambi teach the apparatus of claim 31, wherein the incoming packet is discarded when the incoming packet does not match a rule stored in the policy condition table, the incoming packet is discarded when the incoming packet matches a rule instructing the first data processing unit to discard the incoming packet, and the first data processing unit forwards the incoming packet for processing when the incoming packet matches a rule instructing the first data processing unit to forward the incoming packet for processing (Kadambi, col. 30, lines 59-66, col. 31, lines 20-50).

3. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin and Kadambi in view of Scales, U.S. Patent No. 5,761,729.

Irwin teaches the invention substantially as claimed including a data packet processing system and method for a router which uses a packet switching software for routing data packets between data networks (see abstract). Kadambi teaches the invention substantially as claimed including a method and apparatus for high performance switching of data packets in local area communications networks (see abstract).

As to claim 17, Irwin and Kadambi teach the method of claim 16.

Irwin and Kadambi fail to teach the limitation further including at least one said general purpose processor comprising a complex instruction set computer processor.

However, Scales teaches a distributed computer system including a distributed shared memory (see abstract). Scales shows evidence of the use of a complex instruction set computer processor (col. 1, lines 63-67; col. 2, lines 1-7, 49-67; col. 3, lines 1-8, 41-63).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Irwin and Kadambi in view of Scales to use a complex instruction set computer processor. One would be motivated to do so because a complex instruction set processor can perform several low-level operations and can deal with packet complexity.

As to claim 18, Irwin and Kadambi teach the method of claim 16.

Irwin and Kadambi fail to teach the limitation further including at least one said general purpose processor comprising a reduced instruction set computer processor.

However, Scales teaches a distributed computer system including a distributed shared memory (see abstract). Scales shows evidence of the use of a reduced instruction set computer processor (col. 1, lines 63-67; col. 2, lines 1-7, 49-67; col. 3, lines 1-8, 41-63).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Irwin and Kadambi in view of Scales to use a reduced instruction set

computer processor. One would be motivated to do so because a reduced instruction set processor allows for rapid execution of a sequence of simple instructions.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-18 and 30-32 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 5,615,340 to Dai et al.

U.S. Pat. No. 6,647,418 to Maria et al.

U.S. Pat. No. 6,493,752 to Lee et al.

U.S. Pat. No. 6,253,321 to Nikander et al.

U.S. Pat. No. 6,262,776 to Griffiths.

U.S. Pat. No. 6,675,218 to Mahler et al.

U.S. Pat. No. 5,983,270 to Abraham et al.

U.S. Pat. No. 5,627,829 to Gleeson et al.

U.S. Pat. No. 6,069,827 to Sinclair

U.S. Pat. No. 6,065,065 to Murakami et al.

U.S. Pat. No. 6,167,445 to Gai et al.

U.S. Pat. No. 6,772,347 to Xie et al.

U.S. Pat. No. 6,675,218 to Mahler et al.

U.S. Pat. No. 6,647,418 to Maria et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AVI GOLD whose telephone number is (571)272-4002. The examiner can normally be reached on M-F 8:30 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. G./  
Examiner, Art Unit 2457

/ARIO ETIENNE/  
Supervisory Patent Examiner, Art Unit

Art Unit: 2457

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